



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



August 31, 2012

REPLY TO THE ATTENTION OF:

SR-6J

Mr. Christopher E. Erker
Bryan Cave LLP
One Metropolitan Square
211 North Broadway, Suite 3600
St. Louis, MO 63102-2750
Representing: Schnitzer Steel Products

Dear Mr. Erker:

U.S. EPA received your letters of January 31 and February 22, 2012 regarding the Chemetco Superfund site and Schnitzer Steel, and would like to clarify a few facts in case you are not already aware.

For the General Notice Letter EPA issued November 30, 2011, the information providing Schnitzer's transactions with Chemetco appears in the PCON worksheet. These transaction weights were the source of the 1,020,396 pounds of material listed in the General Notice Letter. The February 22 letter seems to indicate that this is clear.

As described in my email to Notice Letter Recipients on May 22, 2012, we recently obtained information about the Chemetco WANG accounting system and the completeness of the recovered data that we believe might improve everyone's understanding of available recovered data. We believe this additional information may not change any given party's status as a PRP, but it might bear on the amount of materials sent to the Hartford facility. Thus, we think this additional information might refine the Materials-In List and possibly generate, in some cases, weights that are more accurate. What we learned is that the PCON worksheet represents purchase contract information between suppliers and Chemetco rather than weights recorded at the Chemetco Hartford scale house.

Currently we are reviewing additional records we have copied from the site and responses to our Information Requests to assess liability. We are also, as you may know, working collaboratively with a limited group of Notice Letter Recipients (the Chemetco Database Review Group) to further secure records at the site and revise the Materials-In database. The purpose of the work EPA is doing with the Group is to resolve and specifically answer questions such as yours. I hope your client will consider supporting that effort if they are not already.

Sincerely,

Michelle Kerr
Remedial Project Manager
Superfund Division